

Criminal Revision No. 646 of 2001
(Old No. 443/1992)

Hon'ble Irshad Hussain, J.

This criminal revision was filed against the judgment and order dated 29-1-1992 passed by the then C.J.M.Pauri Garhwal whereby the accused was acquitted with the charges U/Ss 384/411 IPC.

None appeared for the petitioner.

The ground taken was that the learned C.J.M. did not properly appreciate the evidence adduced in the case in order to show that the property came in the possession of the accused by commission of robbery. However the evidence of witnesses examined by the prosecution was shown that the property was gifted to the Ashram out of free will and consent. Neither robbery nor any unlawful means was resorted to in taking the possession of the property and considering this it cannot be said that any impropriety was committed in the appreciation of evidence and therefore the revision is dismissed in limine.

(Irshad Hussain, J.)

Dated 25-8-2003

ISB